

Message Text

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ACTION EUR-12

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FM USMISSION USBERLIN

TO AMEMBASSY BONN

SECSTATE WASHDC 1054

INFO AMEMBASSY BERLIN

USEC BRUSSELS 631

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY PARIS

C O N F I D E N T I A L USBERLIN 1160

E.O. 11652: GDS

TAGS: PFOR, FR, GW, UR, US, UK, WB

SUBJECT: NEW SOVIET PROTEST ON EC VOCATIONAL
CENTER

1. ON JUNE 11 SOVIET EMB COUNSELOR KHOTULEV GAVE
FRENCH POLAD (CHAIRMAN) TEXT OF NEW STATEMENT PROTESTING EC
VOCATIONAL CENTER. FRENCH POLAD REMINDED KHOTULEV
THAT ALLIES HAD ALREADY RESPONDED ON FEB 28 TO
EARLIER SOVIET PROTEST OF FEB 6 TO WHICH KHOTULEV
REPLIED THAT SINCE THEN ALLIES HAD AUTHORIZED
ESTABLISHMENT OF OFFICE IN WSB.

2. MISSION'S TRANSLATION OF STATEMENT AS FOLLOWS:

BEGIN TEXT:

AS HAS BECOME KNOWN, THE ALLIED KOMMANDATURA OF
WEST BERLIN RECENTLY ISSUED AN ORDER APPROVING THE
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DECISION OF THE COUNCIL OF MINISTERS OF THE EUROPEAN

ECONOMIC COMMUNITY TO LOCATE IN THE WESTERN SECTORS OF BERLIN A NEWLY-CREATED ORGAN OF THE COMMUNITY, "THE EUROPEAN CENTER FOR VOCATIONAL TRAINING."

THE SOVIET SIDE CAN ONLY JUDGE THIS STEP OF THE THREE POWERS AS AN ATTEMPT TO LEAND THE APPEARANCE OF LEGALITY TO AN ACTION DIRECTED TOWARD THE ILLEGAL DRAWING IN OF THE WESTERN SECTORS OF BERLIN INTO THE EEC AND IN DOING SO TOWARD A UNILATERAL CHANGE IN THE SITUATION IN THE REGION OF APPLICABILITY OF THE QUADRIpartite AGREEMENT. IT IS GENERALLY KNOWN THAT SUCH ACTIONS, UNDERTAKEN AT THE INITIATIVE OF THE FRG, IN THE END ARE DIRECTED TOWARD THE GOAL OF CIRCUMVENTING THE FOUR POWER AGREEMENT BECAUSE THE WESTERN SECTORS ARE NOT A CONSTITUENT PART OF THE FRG AND CANNOT BE GOVERNED BY IT NOW OR IN THE FUTURE.

IN THIS CONNECTION, THE SOVIET SIDE REJECTS AS COMPLETELY UNFOUNDED THE ASSERTIONS OF THE THREE POWERS THAT THE SOVIET UNION, HAVING SIGNED THE QUADRIpartite AGREEMENT, IN FACT APPROVED THE INCLUSION OF THE WESTERN SECTORS OF BERLIN IN THE AREA "IN WHICH THE DECISIONS OF THE ORGANS OF THE COMMUNITY ARE IN FORCE." THE SOVIET SIDE DEPARTED FROM AND DEPARTS FROM THE FACT THAT THE EXTENSION BY THE FRG OF THE TREATY CREATING THE EEC AS WELL AS OTHER TREATY ACTS OF THE COMMUNITY TO THE WESTERN SECTORS OF BERLIN CONTRADICTS THE LEGAL AND FACTUAL SITUATION OF THE CITY AND IS THEREFORE ILLEGAL. THE QUADRIpartite AGREEMENT CONFIRMED THE CORRECTNESS OF THIS POINT OF VIEW, CLEARLY DECIDING THAT INTERNATIONAL AGREEMENTS CONCLUDED BY THE FRG WHICH AFFECT THE QUESTIONS OF STATUS AND SECURITY CANNOT BE EXTENDED TO THE WESTERN SECTORS OF BERLIN. IT IS CLEAR THAT TREATY ACTS CONCERNING THE EEC, THE BASIC PURPOSE OF WHICH IS TO ACHIEVE THE POLITICAL INTEGRATION OF ITS STATES-PARTICIPANTS, BELONGS PRECISELY TO THAT CATEGORY OF INTERNATIONAL AGREEMENTS.

THE SOVIET SIDE UNDERLINES AGAIN THAT QUESTIONS OF THE SITUATION IN THE WESTERN SECTORS OF BERLIN DO NOT AND CANNOT FALL WITHIN THE COMPETENCE OF THE EEC. THEY CAN BE DECIDE ONLY IN ACCORDANCE WITH
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KNOWN AGREEMENTS AND DECISIONS OF THE FOUR POWERS. ANY ACTIVITIES WHICH ARE NOT IN ACCORDANCE WITH THIS ARE ILLEGAL. THE DECISIONS OF THE COUNCIL OF MINISTERS OF THE EEC ABOUT THE ESTABLISHMENT IN THE WESTERN SECTORS OF BERLIN OF THE "EUROPEAN CENTER FOR VOCATIONAL TRAINING" ARE CLEARLY COVERED BY THIS.

TAKING INTO CONSIDERATION THE POSITION TAKEN ON THIS QUESTION BY THE AUTHORITIES OF THE THREE POWERS,

THER SOVIET SIDE CONSIDERS IT NECESSARY TO DECLARE THAT
IT RESERVES FOR ITSELF THE RIGHT TO TAKE MEASURES
WHICH IT MAY CONSIDER NECESSARY TO COUNTER ATTEMPTS
TO VIOLATE THE QUADRIpartite AGREEMENT AND TO PROTECT
ITS LAWFUL INTERESTS. END TEXT.

3. IN KEEPING WITH THE ARGUMENTS CONTAINED PARA 7,
MOSCOW 7992, WITH WHICH WE AGREE, WE SUGGEST THIS IS
ONE PROTEST REQUIRING LITTLE RESPONSE BEYOND A REFERENCE
TO THE ALLIED REPLY OF FEB 28. INASMUCH AS THE FRENCH
POLAD ALREADY HAS SAID AS MUCH, WE SUGGEST THAT IN THE
COURSE OF NEXT BUSINESS WITH KHOTULEV THIS BE REAFFIRMED
AS THE ALLIED VIEW. GEORGE

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